

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MICHAEL WINNER,  
Movant,

v.

INSPECTOR GENERAL OF THE  
NATIONAL SCIENCE FOUNDATION,

Respondent

No. C-07-80212 MISC MMC

**ORDER DIRECTING MOVANT TO  
SUPPLEMENT MOTION FOR ORDER  
PURSUANT TO CUSTOMER  
CHALLENGE PROVISIONS OF RIGHT  
TO FINANCIAL PRIVACY ACT**

The Court is in receipt of movant Michael Winner's ("Winner") "Motion for Order Pursuant to Customer Challenge Provisions of the Right to Financial Privacy Act of 1978," filed August 29, 2007. By said motion, Winner seeks an order, pursuant to 12 U.S.C. § 3410, "preventing the Government from obtaining access to [Winner's] financial records." (See Mot. at 1:17-18.)

Section 3410 provides that "a customer may file a motion to quash an administrative summons or judicial subpoena, or an application to enjoin a Government authority from obtaining financial records pursuant to a formal written request." See 12 U.S.C. § 3410(a). Winner, however, has not provided a copy of any administrative summons, judicial subpoena, or formal written request issued by respondent Inspector General of the National Science Foundation.<sup>1</sup>


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<sup>1</sup>Winner's motion is supported by a declaration in which Winner refers to the existence of a subpoena duces tecum.

1 Accordingly, Winner is hereby DIRECTED to supplement the instant motion by filing,  
2 no later than September 14, 2007, a copy of the administrative summons, judicial subpena,  
3 or formal written request to which his motion is directed. Further, Winner is hereby  
4 DIRECTED to submit, no later than September 14, 2007, a proposed form of order setting  
5 forth the specific relief he seeks.

6 **IT IS SO ORDERED.**

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8 Dated: September 4, 2007

  
MAXINE M. CHESNEY  
United States District Judge